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 APR 24 2006

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**FACSIMILE TRANSMISSION COVER SHEET**

DATE: April 24, 2006

TO: Examiner Ngoclan Thi Mai  
 Group Art Unit 1742  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 10/770,895  
 For: METHOD OF MAKING NIOBIUM AND OTHER METAL POWDERS  
Our Ref: 99024CIPDIV2 (3600-234-03)

FROM: Luke A. Kilyk, Esq. 

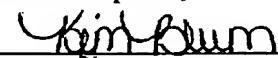
FAC. TEL. NO.: 1-571-273-8300

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 31

Items Attached: Amendment - 11 pages  
 Third Supplemental Information Disclosure Statement -- 2 pages  
 Form PTO/SB/08 - 2 pages  
 3 Documents -- 13 pages  
 Petition for 2-month Extension of Time -- 1 page  
 Fee Transmittal -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on April 24, 2006.

Kim Blum  
 Name

  
 Signature

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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# FEE TRANSMITTAL for FY 2006

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$630.00)

Complete if Known

Application Number	10/770,895
Filing Date	February 3, 2004
First Named Inventor	HABECKER et al.
Examiner Name	Ngocian Thi Mai
Art Unit	1742

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## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account

Deposit Account Number	03-0060
Deposit Account Name	Cabot Corporation

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1011	300	2011 150 Utility filing fee	
1012	200	2012 100 Design filing fee	
1013	200	2013 100 Plant filing fee	
1014	300	2014 150 Reissue filing fee	
1005	200	2005 100 Provisional filing fee	

SUBTOTAL (1) (\$0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20**=	X	=
		-3**=	X	=

## Multiple Dependent

Large Entity	Small Entity	Fee Description	Fee Paid
1202	20	2202 25 Claims in excess of 20	
1201	200	2201 100 Independent claims in excess of 3	
1203	360	2203 180 Multiple dependent claim, if not paid over original patent	
1204	200	2204 100 **Reissue independent claims over original patent	
1205	50	2205 25 **Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0.00)

\*\* or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 SurchARGE - late filing fee or oath	
1052	60	2052 25 SurchARGE - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	120	2251 60 Extension for reply within first month	
1252	450	2252 225 Extension for reply within second month	450.00
1253	1020	2253 610 Extension for reply within third month	
1254	1690	2254 795 Extension for reply within fourth month	
1255	2160	2255 1080 Extension for reply within fifth month	
1401	600	2401 250 Notice of Appeal	
1402	500	2402 250 Filing a brief in support of an appeal	
1403	1000	2403 500 Request for oral hearing	
1451	1510	1451 1,510 Petition to institute a public use proceeding	
1452	600	2452 250 Petition to revive - unavoidable	
1453	1500	2453 750 Petition to revive - unintentional	
1501	1400	2501 700 Utility issue fee (or reissue)	
1502	800	2502 400 Design issue fee	
1603	1100	2503 550 Plant issue fee	
1480	130	1480 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee for provisional applications	
1808	180	1808 180 Submission of Information Disclosure Stmt	180.00
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	780	2808 395 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	780	2810 395 For each additional invention to be examined (37 CFR 1.129(b))	
1801	780	2801 395 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$630.00)

- Complete if applicable

SUBMITTED BY					
Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701
Signature				Date	April 24, 2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Kim Blum  
Name (Print)